

# **EXHIBIT H**

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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE

12 CISCO SYSTEMS, INC.,

13 Plaintiff,

14 v.

15 ARISTA NETWORKS, INC.,

16 Defendant.

Case No. 5:14-cv-05344-BLF (PSG)

**DEFENDANT ARISTA NETWORKS,  
INC.'S SECOND SET OF  
INTERROGATORIES (NOS. 16-17)**

Date Filed: December 5, 2014

Trial Date: Not set.

Pursuant to Federal Rules of Civil Procedure 26 and 33, Defendant Arista Networks, Inc. (“Arista”) requests that Plaintiff Cisco Systems, Inc. (“Cisco”) answer in writing and under oath the following Interrogatories within thirty days of service hereof.

### DEFINITIONS AND INSTRUCTIONS

The following Interrogatories are to be read, interpreted, and answered with reference to the following definitions and instructions.

#### DEFINITIONS

1. “Cisco,” “you,” and “your” means Cisco Systems, Inc., including all agencies, divisions, instrumentalities, establishments, and branches thereof; all of its agents, employees, directors, officers, predecessors in interest, successors in interest, parents and subsidiaries; and anyone acting on their behalf.

2. “Arista” refers to Defendant Arista Networks, Inc., including all agencies, divisions, instrumentalities, establishments, and branches thereof; all of its agents, employees, directors, officers, predecessors in interest, successors in interest, parents and subsidiaries; and anyone acting on their behalf.

3. “CLI Command” means any word or combination of words that is used or recognized as a command in a command line interface.

4. “Network Management Product” means any product used to monitor, configure, or otherwise manage network devices and/or their associated firmware and software, including without limitation Your CiscoWorks Networks Compliance Monitor product and all device drivers that it supports (or has ever supported), the Tail-f Network Control System (NCS) and all network element drivers (NEDs) that it supports (or has ever supported), and the Cisco Network Service Orchestrator (NSO) enabled by Tail-f, and all NEDs that it supports (or has ever supported).

5. “Asserted Patents” refers to U.S. Patent No. 7,047,526 (“the ‘526 patent”) and U.S. Patent No. 7,953,886 (“the ‘886 patent”).

6. “Asserted Claim” means any claim of the Asserted Patents.

1           7.       “Document” is defined to be synonymous in meaning and equal in scope to the  
2 usage of the term “documents or electronically stored information” in Federal Rule of Civil  
3 Procedure 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning  
4 of this term. Any comment or notation appearing on any document, and not a part of the original  
5 text, is to be considered a separate “document.”

6           8.       “Person” is defined as any natural person or any legal entity, including, without  
7 limitation, any business or governmental entity or association.

8           9.       “Communication” means the transmittal of information (in the form of facts, ideas,  
9 inquiries or otherwise).

10          10.      When used with respect to a natural person, “identify” means that you are required  
11 to provide the following information: name; last known business address; last known residence  
12 address; last known telephone number; names of the employers or businesses with whom the  
13 person is or was associated; and the person’s title, position, and duties at the time relevant to the  
14 identification.

15          11.      When used with respect to a person that is not a natural person, “identify” means  
16 that you are required to provide, to the extent applicable, the same information required as if the  
17 entity were a natural person, and to state the nature of the entity (e.g., partnership, corporation,  
18 etc.).

19          12.      When used with respect to a document, “identify” means that you are required to  
20 provide, to the extent applicable, the (i) type of document; (ii) date of the document; (iii)  
21 author(s), addressee(s) and recipient(s); and (iv) any Bates number assigned to the document in  
22 this action.

23          13.      “Relating to” means relating to, referring to, concerning, mentioning, reflecting,  
24 pertaining to, evidencing, involving, describing, discussing, commenting on, embodying,  
25 responding to, supporting, contradicting, or constituting (in whole or in part), as the context  
26 makes appropriate.

27          14.      “All,” “any,” and “each” shall each be construed as encompassing any and all.  
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place of communications; and (iii) the general subject matter of the communications.

3. Cisco's obligation to respond to these Interrogatories is continuing and its responses are to be supplemented to include subsequently acquired information in accordance with the requirements of Rule 26(e) of the Federal Rules of Civil Procedure.

## INTERROGATORIES

### **INTERROGATORY NO. 16:**

For each CLI Command listed in Cisco's Second Amended Complaint (including exhibits) and each command hierarchy listed in Cisco's Second Amended Complaint (including exhibits), and each command mode and prompt listed in Cisco's Second Amended Complaint (including exhibits), identify: (i) the author or originator of such Command, command hierarchy, command mode and prompt, (ii) the date of such authorship or creation, (iii) the document(s) in which such Command, command hierarchy, command mode or prompt was first fixed in any tangible medium of expression, (iv) the document(s) in which such Command, command hierarchy, command mode or prompt was first published, and (v) the first Cisco product (including version number) that used or responded to each CLI Command, command hierarchy, command mode or prompt.

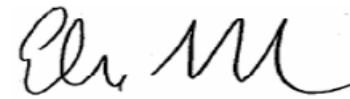
### **INTERROGATORY NO. 17:**

Identify each and every document in your possession relating to any non-Cisco CLI, including the custodian of each document and how Cisco came to be in possession of each document.

Dated: July 24, 2015

KEKER & VAN NEST LLP

By:



ROBERT A. VAN NEST  
BRIAN L. FERRALL  
DAVID J. SILBERT  
MICHAEL S. KWUN

Attorneys for Defendant ARISTA  
NETWORKS, INC.

PROOF OF SERVICE

I am employed in the City and County of San Francisco, State of California in the office of a member of the bar of this court at whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Keker & Van Nest LLP, 633 Battery Street, San Francisco, CA 94111-1809.

On July 24, 2015, I served the following document(s):

**DEFENDANT ARISTA NETWORKS, INC.'S SECOND SET OF INTERROGATORIES (NOS. 16-17)**

☒ by **E-MAIL VIA PDF FILE**, by transmitting on this date via e-mail a true and correct copy scanned into an electronic file in Adobe "pdf" format. The transmission was reported as complete and without error.

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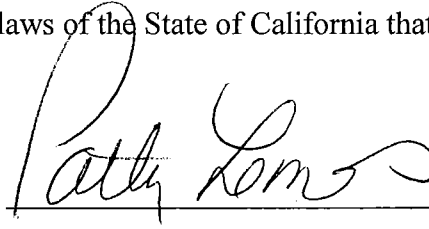
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1 Executed on July 24, 2015, at San Francisco, California.

2 I declare under penalty of perjury under the laws of the State of California that the above is true  
3 and correct.

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